

**VERSION WITH MARKINGS TO SHOW
CHANGES MADE**

In The Specification:

The title has been changed as shown below wherein added words are underlined and deleted words are {bracketed}.

CLEANER FOR IN-EYE CLEANING OF CONTACT LENS

In The Claims:

The claims have been changed as shown in the claims below of the same number wherein added words are underlined and deleted words are {bracketed}.

Claim 17. (Amended) A method of cleaning a contact lens in the eye of a wearer comprising applying to said contact lens an ophthalmically compatible contact lens cleaning solution comprising water-containing beads having a mean particle size of less than 30 μm, wherein at least 90 weight percent of said water-containing beads have a major diameter of less than 50 μm.

Claim 19. (Amended) The method of claim 18 wherein said {ophthalmic solution} method further comprising the sequential steps of blinking and then rinsing the eye and the contact lens {to} with an ophthalmic rinsing solution to dilute or substantially remove the contact lens cleaning solution from the eye.

REMARKS

The subject in-eye method for cleaning contact lenses requires a cleaner with water-containing beads prepared such that the bead size is smaller than the punctal opening of the eye. The water-containing beads are easily flushed from the ocular environment by normal tear flow. The cleaner may also be used to clean contact lenses with the cleaner applied directly to the lens, and digitally rubbed to remove accumulated debris on the lens.

Support for amendments to the title and claims 17 and 19 above is found for example on page 5, lines 11-20 and page 7, lines 1-4 in addition to other locations throughout the subject specification.

The title stands under objection as being non-descriptive.

Applicants respectfully traverse the objection of the title. Based on the above amendment to the title, the objection to the title is now inappropriate. Withdrawal of the objection is respectfully requested.

Claims 17 and 19 stand rejected under 35 U.S. C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants respectfully traverse the rejection of claims 17 and 19 under 35 U.S.C. 112, second paragraph. Based on the above amendments to claims 17 and 19, in accordance with suggestions by the Examiner, the rejection of claims 17 and 19 under 35 U.S.C. 112, second paragraph, is now inappropriate. Withdrawal of the rejection of claims 17 and 19 under 35 U.S.C. 112, second paragraph, is respectfully requested.

Claims 17-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chromecek et al., U.S. Patent Number 5,017,238.

Applicants respectfully traverse the subject rejection of claims 17-20 under 35 U.S.C. 103(a). Chromecek et al., '238 teach an aqueous cleaning dispersion

using adsorptive polymeric powder and a method of using the same. The adsorptive polymeric powder as taught has polymeric particles ranging in size from 0.1 to 0.5 microns in diameter, with agglomerates of fused unit particle sizes in the range of about ten to eighty microns in average diameter, and aggregates of clusters of fused agglomerates of sizes in the range of about two hundred to about eight hundred microns in average diameter. Also taught are concentrations of surfactants in an amount from 0.01 to 10 weight percent. The method of using the aqueous cleaning dispersion includes removing a lens from an eye, applying said solution to the surface of the lens, rubbing the lens and then rinsing the lens.

- To the contrary, the subject invention as disclosed and claimed is directed to an unique cleaner suitable for in-eye cleaning of contact lenses. The subject cleaner contains water-containing abrasive beads of a controlled size to inhibit sedimentation. **By controlling the initial size of the abrasive bead agglomerates as claimed, the further extent of agglomeration is controlled so as to be compatible with ocular instillation.** The same is neither taught or suggested by Chromecek et al., '238. Accordingly, the unique method of the present invention as disclosed and claimed in the subject application differs significantly from the "agglomeration" teachings of Chromecek et al., '238. For these reasons in addition to others not set forth herein, the rejection of claims 17-20 under 35 U.S.C. 103(a) is thereby inappropriate. Withdrawal of the rejection claims 17-20 under 35 U.S.C. 103(a) is respectfully requested.

Claims 17-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sulc et al., U.S. Patent Number 5,580,392.

Applicants respectfully traverse the subject rejection of claims 17-20 under 35 U.S.C. 103(a). Sulc et al., '392 teach a contact cleaning composition with particles and method of treating contact lens wherein said composition comprises


polymeric particles with a hardness gradient and an effective elasticity gradient, ranging in size from about 0.1 to 50 microns, and preferably in the form of a bead. It is taught that the hardness gradient of the particles is due to the particles having a relatively inelastic, water-impermeable core and a soft, water-permeable outer layer surrounding the core to allow for manually rubbing the particles on the lens without scratching or abrading the lens.

To the contrary, the subject invention as disclosed and claimed is directed to an unique cleaner suitable for in-eye cleaning of contact lenses. The subject cleaner contains water-containing abrasive beads of a controlled size to inhibit sedimentation. **By controlling the initial size of the abrasive bead agglomerates as claimed, the further extent of agglomeration is controlled so as to be compatible with ocular instillation.** The same is neither taught or suggested by Sulc et al., '392. Accordingly, the unique method of the present invention as disclosed and claimed in the subject application differs significantly from the "hardness gradient" teachings of Sulc et al., '392. For these reasons in addition to others not set forth herein, the rejection of claims 17-20 under 35 U.S.C. 103(a) is thereby inappropriate. Withdrawal of the rejection claims 17-20 under 35 U.S.C. 103(a) is respectfully requested.

Pending claims 17-20 as now amended are believed to be patentable. Allowance of pending claims 17-20 is thereby respectfully requested.

Should there be any questions regarding this communication, please feel free to contact the undersigned at (636) 226-3340.

Respectfully submitted,



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